Remarks:

Regarding the prior rejection of the claims in view of the rejection of claims in view of US 6124253 to Vinci et al , and/or US 6150318 to Silvester:

The applicant thanks the Examiner for favorable consideration of the prior claim amendments and for withdrawal of the prior grounds of rejection with respect to the claims.

Regarding the rejection of claims 1, and 3-19 under 35 USC 103(a) in view of US 6150318 to Silvester:

The applicant respectfully traverses the Examiner's rejection that the current claims are obvious in view of the reference to Silvester.

A skilled artisan reviewing the Silvester reference would undoubtedly encounter the following passages from the reference found at column 2 thereof:

> The boiling off of the propellant from the surface onto which a composition of the invention is discharged is characterised by a bubbling action on the surface. This bubbling action could also be described as "sizzling". In general terms the bubbles are fast breaking and do not persist to create a foam.

> The bubbling action contributes significantly to the broad spectrum cleaning performance of the compositions of the invention by providing a physical lifting action. In particular, in the compositions of the invention, the retained propellant is released in the form of bubbles which relatively quickly break releasing propellant to the atmosphere. The sustained nature of this bubbling action provides a prolonged cleaning action.
>
> It is important to note that compositions in the prior art do not display the sustained bubbling action on account of the propellant rapidly flashing off to the atmosphere.

From the foregoing it is very apparent that Silvester's mode of action totally relies upon the boiling off of the propellant from the surface in order to provide the "sizzling" effect. Indeed, as the last paragraph reproduced above confirms, Silvester repeats his assertions pointing out that his present compositions are distinguishable over the prior art due to the virtue of the ".. propellant rapidly flashing off to the atmosphere." It is evidently clear they're from, that a skilled artisan reviewing Silvester, would also understand that the presence of a pressurized aerosol constituent would be essential to Silvester's compositions as prior to dispensing any premature release of the aerosol would negate the ability of the propellant to rapidly flash off to the atmosphere in order to provide the desired visual effect, viz., "sizzling". Logically then, Silvester's compositions are inherently necessarily always packaged in a pressurized bull container, namely an aerosol canister of a conventional type in order to ensure that the propellant is retained as a part of his composition until, it is dispensed onto a surface.

In contrast thereto, applicant's compositions neither require the presence of a propellant in order to be operable, nor, will lie upon the "propellant rapidly flashing off to the atmosphere" in order to provide the desired visual effect. Rather, as is described in applicant specification, the surface motility is believed to be attributable to the Marangoni effect which arises when the 1-alkyl-2-pyrrolidone, hydrocarbon, or water are provided in specific proportions such that they are present in a chemical equilibrium at or adjacent to a phase boundary such that loss of 1% or less of one of 1-alkyl-2-pyrrolidone, hydrocarbon, or water would cause a change in the total phases present and induce motility of the composition. Abbott is compositions require no propellant, and also do not need to be provided in a pressurizable container in order for them to operate. As noted in applicant's specification, the compositions may be provided in a non-pressurized container such as a bottle, jar, or manually operable trigger spray container. These would be recognized by those of relevant skill in the art as not amenable to contain a pressurized aerosol constituent but, as such are not require the applicant's compositions, they are eminently suitable for the packaging of compositions according to the present invention.

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In addition to the above, the applicant also points out that the Silvester reference fails to teach or suggest in any way suggest any desirability of selecting 1-alkyl-2-pyrrolidone, hydrocarbon, or water and provide these in specific proportions such that they are present in a chemical equilibrium at or adjacent to a phase boundary such that loss of 1% or less of one of 1-alkyl-2-pyrrolidone, hydrocarbon, or water would cause a change in the total phases present and induce motility of the composition. Rather, as noted above Silvester relies upon a different mechanism to produce his effect, which depends solely on the controlled evaporation of the aerosol propellant from the oil phase from his oil-in-water emulsions. Not surprisingly then, Silvester fails to identify the 1-alkyl-2-pyrrolidone, hydrocarbon, or water and provide these in specific proportions such that they are present in a chemical equilibrium at or adjacent to a phase boundary such that loss of 1% or less of one of 1-alkyl-2-pyrrolidone, hydrocarbon, or water would cause a change in the total phases present and induce motility of the composition., and thus cannot be held to suggest the desirability of bleach to a composition which requires such a chemical equilibrium between 1-alkyl-2-pyrrolidone, hydrocarbon, and water.

Accordingly, reconsideration of the propriety of the outstanding rejection of the specification, and of all of the claims as presented in this paper, is requested.

CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.